

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 79-95

CITY OF HALF MOON BAY

ORDER AMENDING BOARD ORDER NO. 77-157 GRANTING
ADDITIONAL DISCHARGES TO THE CITY'S SEWER SYSTEM
PURSUANT TO ORDER NO. 77-157, AS AMENDED

I. FINDINGS

The California Regional Water Quality Control Board, San Francisco Bay Region, finds that:

- A. On December 17, 1974, the Regional Board adopted Order No. 74-194 (NPDES No. CA0037460) prescribing waste discharge requirements for the discharge by the City of Half Moon Bay, hereinafter referred to as the discharger.
- B. On November 16, 1976, the Regional Board adopted Order No. 76-116 to amend Order No. 74-194 to revise the compliance time schedule.
- C. On December 20, 1977, this Board adopted Order No. 77-157, a cease and desist order, which prohibited additional discharges to the City's sewer system. This Order amended the compliance time schedule in Order No. 76-116.
- D. Order No. 77-157 provided for partial removal of the prohibition and allowance of additional discharges to the sewer system upon forthwith achievement and completion of certain specified tasks provided there is no deterioration in compliance time schedule and other limitations.
- E. On March 21, 1978, this Board adopted Order No. 78-17, granting partial removal of the prohibition based upon the City's achievement of task #2 in Section F of the Cease and Desist Order.
- F. On March 20, 1979, this Board adopted Order No. 79-35 (NPDES No. CA0038598) prescribing waste discharge requirements for the discharge by the Sewer Authority Mid-Coastside (SAM), City of Half Moon Bay, Montara Sanitary District and Granada Sanitary District. The discharge of the combined effluent will not commence until the construction of the outfall, interceptors and pump stations are completed. The Order amended the compliance time schedule in Order No. 77-157.
- G. On January 12, 1979, the Regional Board filed legal action against SAM, the City of Half Moon Bay, Montara Sanitary District and Granada Sanitary District requesting the court to order them to comply with all existing Regional Board Orders.
- H. On May 10, 1979, the Santa Clara County Superior Court issued a preliminary injunction ordering SAM and all the member agencies to comply with all existing Board Orders.

- I. On April 2, 1979, the City of Half Moon Bay passed a Resolution accepting the state grant conditions on the SAM project as modified and a motion through SAM accepting the court stipulated injunction as conditioned.
- J. On May 15, 1979, the City of Half Moon Bay adopted Resolution #41-79 accepting Coastal Permit Nos. P-79-93, P-79-94 and P-79-95 from the Central Coastal Zone Conservation Commission. These permits are required for the construction of the Phase I SAM project.
- K. On July 2, 1979, SAM amended its Joint Power Agreement to indicate its willingness and capability to comply with all Regional Board permit requirements and grant conditions.
- L. On July 12, 1979, SAM awarded the construction contracts for Unit 1, consisting of the interceptor pipelines. On July 23, 1979, SAM awarded the construction contract for Unit 4, consisting of the outfall and effluent pump station. Unit 2, consisting of the remaining pump stations and intertie pipelines necessary for operation of the system, has not been awarded.
- M. The award of the contract for the outfall satisfies one of the tasks specified in CDO No. 77-157 for consideration of partial removal of the prohibition.
- N. The Central Coastal Regional Commission has not been processing permit applications for projects within the City of Half Moon Bay because of the Regional Board's prohibition contained in Order No. 77-157. A Coastal permit is required before the City can issue a building permit. Thus, project proponents may have been precluded from qualifying for relief from the prohibition on additional connections which would otherwise be available upon accomplishment of the specified tasks of the Cease and Desist Order.
- O. The City is currently discharging an average dry weather flow of approximately 0.41 MGD. The Board finds that an increase of average dry weather flow to approximately 0.65 MGD will not significantly impair water quality or beneficial uses. This flow increase is the equivalent of 1000 single family dwelling discharges to the sewer system.
- P. A broken outfall at the surf zone has caused a discharge of treated wastewater near the shoreline and measures to mitigate public health impacts have caused deterioration in compliance with effluent limitations. However, the City has made a concerted effort to upgrade its existing treatment facilities to improve plant performance. Compliance with time schedule of Order Nos. 77-157 and 79-35 has deteriorated but non-compliance with construction time schedule of Order No. 79-35 was beyond the City's control.
- Q. This action is an order to enforce waste discharge requirements previously adopted by the Board. This action is therefore categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15121 of the Resources Agency Guidelines.

- R. Starting at 10:00 a.m. on Wednesday, August 8, 1979, in the Multi-Use Room of the Alvin S. Hatch Elementary School, Miramontes Street, Half Moon Bay, after due notice to the discharger and other affected persons, a hearing panel of the Regional Board conducted a public hearing at which the discharger appeared and evidence was received concerning the discharge.
- S. Upon the basis of the evidence received, the hearing panel recommended that the Regional Board grant partial removal of the prohibition of additional discharges to the City's sewer system. The basis for granting additional connections is the Award of Construction Contract for the SAM outfall and the City's demonstrated willingness to proceed with the SAM Phase I regional project. The Regional Board has independently received the panel hearing record.

II. IT IS HEREBY ORDERED THAT:

- A. The prohibition of additional discharges to the sewer system, as provided in Order No. 77-157, as amended, is partially removed and the City of Half Moon Bay is allowed additional discharges to the City's sewer system in an amount not to exceed a flow equivalent of 1000 single family dwellings, using an average of 240 gallons per day per household.
- B. Paragraph II. F, tasks #1, 2, and 3 of Order No. 77-157 are amended to read as follows:
1. Demonstrate consistent compliance with effluent chlorine residual limitation (A.1.a.) and provide assurance of continued compliance through a reliable residual chlorine control system satisfactory to this Board.
 2. Award construction contracts for interceptors which shall include all conveyance facilities, interties and pumping facilities to transport wastewater flow from Montara and Granada service areas to Half Moon Bay for treatment and/or disposal.
 3. Completion of the deepwater outfall and commencement of discharge at the deep water location through the outfall.
- C. Third paragraph of Order No. F of Order No. 77-157 is amended to read as follows:

If the Board determines that the City has forthwith achieved and completed any one of the tasks specified above and that compliance with other limitations and time schedules has not deteriorated, the Board will partially remove said prohibition and will allow the City additional discharges to the sewer system.

I, Fred H. Dierker, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on August 21, 1979.

FRED H. DIERKER
Executive Officer